JENMI AND TENANT BILL.

Section 3, Clause 14.

Mr. Thanu Pillai.—I beg to move that the words 'including its product' be inserted between 'work' and 'which' in line 1. In framing the Bill and while discussing it I had this point in view but was not quite certain of its effect. But I am reliably informed that the absence of such a provision has been causing endless difficulties in Malabar and an amendment in the same direction is under the contemplation of the Madras Government. To anticipate difficulties it would, in my opinion, be well to profit by this well tried experience.

Mr. Prince.—I second the motion. It appears to me necessary to clear an ambiguity. Compensation is not, of course, to be confined to produce i. e. of trees and so forth. By product is meant the substantial advantages or benefits to the estate derived from works—say, an aqueduct—which though involving a comparatively small outlay may raise the value of the property immensely by its fertilising influence. I think it but fair that 'improvements' for purposes of compensation should represent and include these benefits also.

Mr. Kuruvila.—I support it. Such works as masonry walls to protect properties from erosion do often add largely to their value though the works may not in themselves entail any enormous cost.

Mr. Bensley.—I note from a paper handed to me how in Malabar the want of such a provision is felt and I think it advisable to adopt the amendment.

Mr. Ramanatha Rao.—I am not quite sure as to the desirability of the proposed amendment. Far from clearing an ambiguity it might make the provisions more obscure. Further I must point out the question was threshed out in the Select Committee and all that is legitimately due is embraced by the section with the Explanation.

Mr. Krishnaswamy Rao.—I should rather think so.

Mr. Nagam Aiya.—I would leave the section as it is.

Mr. Rama Varma.—I am for the amendment.

The motion was put to the vote and carried by majority.

Mr. Thanu Pillai.—I beg to propose the second amendment. In line 4 section 8, substitute the words 'capitalized value of the product' for 'full market value.' The object of this explanation is, I believe, quite clear. It simply fixes a more definite and equitable method by which the value should be calculated.

Mr. Prince.—The capitalized value of the trees cannot, I am afraid, represent the produce correctly always. The *age* of the trees is an important element for consideration and may lead to fluctuations.

After a brief discussion the motion was put to the vote and carried by majority.

Mr. Thanu Pillai.—There being no other amendments I beg to move that the Bill as it now stands amended be passed by the Council and that it do come into force from the 1st day of Makarom 1072.

Seconded by Mr. Krishnaswamy Rao.

Carried.

Mr. Krishnaswamy Rao.—I beg to move an amendment to the motion just carried. I would add a proviso to clause 2 of section 1.

"Provided that para 2 of section 5 and the first para of section 42 (the sentence 'nor shall &c' being made to begin a separate para beginning thus: 'The provisions of this Regulation shall not apply &c'.) shall come into force on the 1st day of Chingom 1074."

The object of the proviso is merely to grant to the parties concerned the obviously equitable privilege usually accorded when a law prescribing a period of limitation is first sprung on the public, so as to allow sufficient time to adjust vested rights.

Seconded by Mr. Thanu Pillai.

Carried.

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